

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In the Matter of the Arbitration  
Between

THE FAIRCHILD CORPORATION

Petitioner and Cross-Respondent,

vs.

ALCOA INC.

Respondent and Cross-Petitioner.

ECF

07-CV 6185 (VM)

**DECLARATION OF DANIEL SLIFKIN IN SUPPORT OF ALCOA INC.'S  
CROSS-PETITION TO CONFIRM AND IN OPPOSITION TO THE FAIRCHILD  
CORPORATION'S PETITION TO VACATE ARBITRATION AWARD**

DANIEL SLIFKIN declares as follows:

1. I am a member of the law firm of Cravath, Swaine & Moore LLP, counsel for Respondent and Cross-Petitioner Alcoa Inc.

2. This declaration is submitted in support of Alcoa Inc.'s Cross-Petition to Confirm Arbitration Award and in opposition to The Fairchild Corporation's Petition to Vacate Arbitration Award.

3. Annexed as A - V are true and correct copies of the following:

- a. Escrow Agreement between The Fairchild Corporation and Alcoa Inc., Alcoa Arbitration Exhibit 247 in the arbitration of Fairchild Corp. v. Alcoa Inc., CPR File No. G-06-22H
- b. Letter from John A. Lease to B. Michael Hodge, dated November 3, 2003, Alcoa Bulk Arbitration Exhibit C, Vol.

1 at 61-70 in the arbitration of Fairchild Corp. v. Alcoa Inc., CPR File No. G-06-22H

- c. ERM Invoice, dated December 2, 2003, Alcoa Arbitration Exhibit 241 in the arbitration of Fairchild Corp. v. Alcoa Inc., CPR File No. G-06-22H
- d. ERM Invoice, dated January 20, 2004, Alcoa Arbitration Exhibit 242 in the arbitration of Fairchild Corp. v. Alcoa Inc., CPR File No. G-06-22H
- e. ERM Invoices, dated March 31, 2004, July 28, 2004, August 27, 2004, October 1, 2004, Alcoa Bulk Arbitration Exhibit C, Vol. 5 at 4511-14 in the arbitration of Fairchild Corp. v. Alcoa Inc., CPR File No. G-06-22H
- f. Letter from Susan L. Hall to John A. Lease, dated February 25, 2005, Alcoa Arbitration Exhibit 103 in the arbitration of Fairchild Corp. v. Alcoa Inc., CPR File No. G-06-22H
- g. Letter from John A. Lease to Susan L. Hall, dated July 6, 2005, Alcoa Bulk Arbitration Exhibit C, Vol. 5 at 4931-37 in the arbitration of Fairchild Corp. v. Alcoa Inc., CPR File No. G-06-22H
- h. Claimant Fairchild's First Set of Interrogatories, dated August 15, 2006, in the arbitration of Fairchild Corp. v. Alcoa Inc., CPR File No. G-06-22H
- i. Alcoa Inc.'s Motion for Partial Summary Judgment, dated December 1, 2006, in the arbitration of Fairchild Corp. v. Alcoa Inc., CPR File No. G-06-22H
- j. Testimony of John Lease, transcript of hearing in the arbitration of Fairchild Corp. v. Alcoa Inc., CPR File No. G-06-22H
- k. Summary Chart, Alcoa Arbitration Exhibit 125 in the arbitration of Fairchild Corp. v. Alcoa Inc., CPR File No. G-06-22H
- l. Testimony of Susan Hall, transcript of hearing in the arbitration of Fairchild Corp. v. Alcoa Inc., CPR File No. G-06-22H
- m. Alcoa Inc.'s Post-Hearing Memorandum, dated April 16, 2007, in the arbitration of Fairchild Corp. v. Alcoa Inc., CPR File No. G-06-22H ("Alcoa's Post-Hearing Br.")

- n. Alcoa Inc.'s Proposed Findings of Fact and Conclusions of Law, dated April 16, 2007, in the arbitration of Fairchild Corp. v. Alcoa Inc., CPR File No. G-06-22H
- o. Alcoa Inc.'s Memorandum in Reply to Fairchild Corp.'s Post-Hearing Memorandum, dated April 30, 2007, in the arbitration of Fairchild Corp. v. Alcoa Inc., CPR File No. G-06-22H
- p. Letter from Evan R. Chesler to Hon. James F. Stapleton, dated May 3, 2007
- q. Letter from Adam Zurofsky to Evan R. Chesler, dated June 26, 2007
- r. Letter from Adam Zurofsky to Jo Anne Osborn, dated June 28, 2007
- s. Letter from John A. Lease to Jo Anne Osborn, dated June 28, 2007
- t. Letter from Daniel Slifkin to Adam Zurofsky, dated June 28, 2007
- u. Letter from Adam Zurofsky to Jo Anne Osborn, dated June 29, 2007
- v. Letter from Adam Zurofsky to Daniel Slifkin, dated June 29, 2007

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on July 17, 2007.



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Daniel Slifkin